

Finance Committee Meeting
Thursday, April 30, 2015
6:00 pm, Council Chambers

1. Approval Of Minutes From April 16 And April 23, 2015 Meetings

1.1. Minutes Of April 23, 2015 Finance Committee Meeting

Documents: [FINANCE COMMITTEE MINUTES 23-APRIL-15 \(DRAFT\).PDF](#)

2. Discussion Re Housing Inspections / Fire Task Force

3. Follow-Up Items From April 23, 2015 Meeting

3.1. Follow-Up Items From April 23, 2015 Meeting

Documents: [MEMO RE EMERGENCY MEDICAL CALL DENSITY.PDF](#), [MEMO RE FIRE CODE TASK FORCE RECOMMENDATIONS.PDF](#), [MEMO RE REQUESTED INFORMATION ON RESPONSE PROTOCOLS.PDF](#)

4. Public Comment

5. Recommendation On City's FY'16 Budget

Finance Committee
Meeting Minutes
Thursday, April 23, 2015

Attendees: Chair Mavodones, Vice Chair Duson, Committee member Hinck (Suslovic – absent); Councilors Costa and Brenerman, members of the public and city staff

Chair Mavodones opened the meeting – called to order

1. City Budget (Portland Public Library, Follow-up items from 4/14 meeting, Jetport, Fire)

Budget discussion. Public comment was taken.

2. Executive Session on Public Services Relocation

Councilor Duson moved to go into Executive Session, seconded by Councilor Hinck. Motion passed 3-0

Councilor Hinck moved to go out of Executive Session, seconded by Councilor Duson. Motion passed 3-0

1 M.R.S. section 405(6)(C)

3. City Budget (Health & Human Services, Other Finance Committee Requests)

Continued discussion on FY16 budget. The Committee will continue to review the budget at its next meeting on April 30, 2015.

Meeting adjourned



Portland Fire Department

Office of the Fire Chief



Date: April 27, 2015

To: Members of the Portland City Council Finance Committee

From: Jerome LaMoria, Fire Chief, City of Portland

Subject: Requested information on Emergency Medical Call Density

Attached to this memo is a map illustrating the Emergency Medical (EMS) Call Density for the City of Portland for the calendar year of 2014. Each dot on the map represents an EMS call for service. These are categorized into "Map Reference Areas" utilized by the fire department for fire company response districts. The map is best viewed electronically as the level of detail does not print well on a small scale. The darker the shading in each area indicates a higher call volume. Lighter shading indicates a lower call volume. The last number in the Map Reference Area indicates the number of calls for that area.

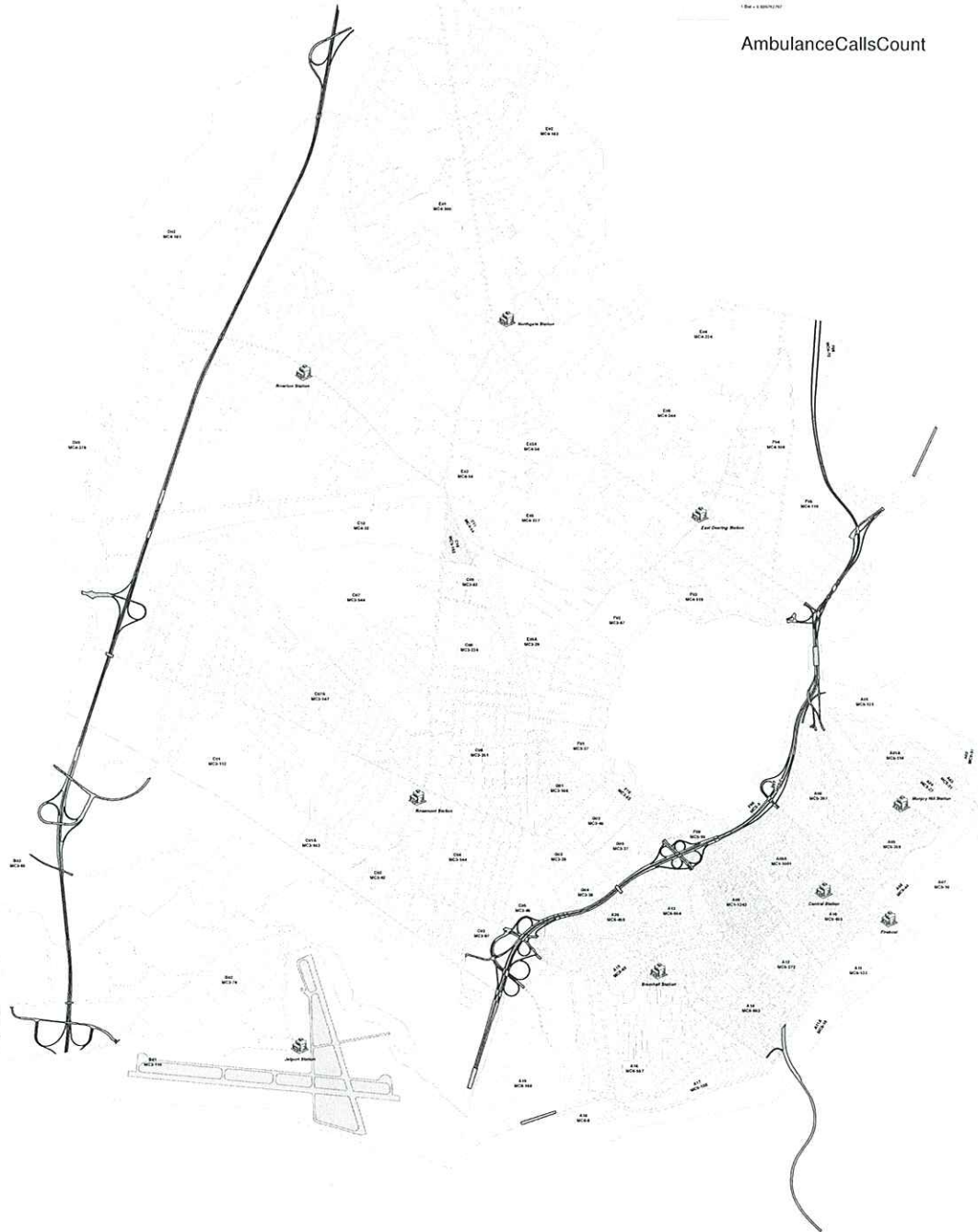
Please contact me if you have further questions.

Legend

PFD Map Reference Areas

1 Mile = 1.609344 Kilometers

AmbulanceCallsCount



Portland, Maine



Yes. Life's good here.

Executive Department
Julie Sullivan, Acting Chief of Staff

MEMORANDUM

TO: Finance Committee
FROM: Julie Sullivan, Acting Chief of Staff
DATE: April 16, 2015
RE: Questions re Fire/Code Task Force Recommendations

The Fire/Code Task Force examined numerous models from comparable cities around the country to assess rental housing safety best practices, as detailed in the attached presentation to the Public Safety, Health & Human Services Committee in February ([Attachment A](#)). The Task Force recommended several key strategies the City can implement to improve the safety of rental housing stock:

- 1) Implement a risk-based prioritization process for inspections
- 2) Provide public education; conduct routine inspections of housing stock with 3 or more units by fire station personnel
- 3) Hold landlords and tenants accountable
- 4) Provide better training, including cross-training, for inspectors and other City staff working in the field who can assist in identifying potentially dangerous housing safety situations. Use existing technology more efficiently
- 5) Designate a Housing Safety Official with authority over housing safety who will ensure communication, coordination, accountability, consistency, training, and technology utilization across relevant City departments and evaluation of the effectiveness of the programs. Increase the number of cross-trained inspectors. Inspect all rental properties.

The Task Force returned to the PSHHS Committee in March to respond to councilor requests from the February meeting. Information presented included housing safety roles and responsibilities across relevant departments ([Attachment B](#)).

New positions were created instead of using existing firefighters for several reasons:

- There are substantial differences between the life safety code and the numerous additional codes such as building, energy, and electrical. ([Attachment C](#)). All of the other municipalities

the Task Force reviewed use professional inspectors to ensure housing safety; none use firefighters exclusively. Firefighters for the City of Portland are hired and trained with an expectation to provide basic fire and life safety education and inspections. Changing that expectation would require significant efforts in training, deployment, and would require impact bargaining. Firefighters conduct inspections of buildings with three or more units in them because there are different life safety code requirements at that level. There are lower risks and fewer people per building in one- and two-family units, so they are not subject to the same code requirements.

- The Task Force sought to reduce silos and improve efficiency and effectiveness by integrating rental housing safety functions into one office directly reporting to the City Manager.
- The priorities reiterated above require additional staff with expertise to implement landlord registration and follow-up, risk-based prioritization, and ability to conduct both life safety and building code inspections, no matter where the program is housed.
- Illegal units arose in the Task Force's deliberations as a significant problem in the city. Dedicated staff who can do the grunt work to identify, investigate, and enforce the code for such units is critical – we need the time (staff) and data to do it.
- The Task Force felt strongly that ensuring the safety of the city's rental housing stock requires designating a single authority with an appropriately trained staff (please see number 5 on the previous page) focused on the specific strategies outlined on the previous page.
- Staff have revised the recommendation to add a Fire Education Officer. Additional research and thought have resulted in a cheaper option.
 - By funding an additional Plan Reviewer in the Inspections Division from Housing Safety Office revenue, the task force recommendations can still be achieved by having the new staff person take life safety plans review from the Fire Prevention branch.
 - This allows existing Fire Prevention officers to conduct the robust public education demanded by the Task Force and strengthen their training and capacity for firefighters to conduct basic fire safety inspections of 3+-unit buildings.
 - Outsourcing the life safety plans review function turned out to be quite expensive.
 - Keeping this function within Fire Prevention necessitates hiring an additional officer to lead internal and external training.
 - Hiring a plans reviewer instead of a fire education officer saves the City at least \$8,000/year.



Fire/Code Inspections Task Force

Public Safety, Health & Human Services Committee Presentation

February 10, 2015

Task Force Purpose

Following the tragic fire on Noyes Street on November 1, 2014, Acting City Manager Sheila Hill-Christian created a task force to recommend improvements to better ensure the safety of the city's rental housing stock. Boston Fire Department Deputy Chief Jay Fleming provided pro bono technical assistance to the task force, which was led by Acting Chief of Staff Julie Sullivan. The task force conducted its work in two phases. Phase One was an internal review of prior studies as well as applicable codes and ordinances, staffing levels, roles and responsibilities across departments, and relevant initiatives in Boston, MA; New York, NY; Providence, RI; Austin, TX; and Princeton, NJ. These discussions occurred over the course of three work sessions in December, all of which were open to the public. City staff comprising Phase One membership were: Rich Bianculli, Esq., Neighborhood Prosecutor; Keith Gautreau, Acting Assistant Chief for Fire Prevention and Community Outreach; Tammy Munson, Inspections Division Director; Jon Rioux, Inspections Division Deputy Director; Planning Board Chair Tuck O'Brien; and Acting City Manager Sheila Hill-Christian.

Phase Two added four external representatives to the task force: Julie Gregor, Inspection Manager for the Portland Housing Authority; Katie McGovern, Esq., Pine Tree Legal Assistance; and Crandall Toothaker and Carleton Winslow (alternate: Brit Vitalius) of the Southern Maine Landlord Association. Adam Lee, Esq., a new attorney with the City's Corporation Counsel's Office, also joined the task force during this phase. The task force met four times in January during Phase Two, and all meetings were open to the public.

The task force did not seek to specifically analyze or debrief the Noyes Street fire, but instead to examine the larger issues and explore options to address them. These issues include those with an external focus, such as the need for public education on fire safety and greater accountability for landlords and tenants, and those with an internal focus, such as improved and increased inspections, better use of technology, and centralized and expanded housing safety functions. Three guiding principles the task force referred to throughout the process were transparency, consistency and accountability, while also keeping in mind affordability.

Operating under a very tight timeline, the task force chose to focus on rental housing stock and not commercial or single-family properties. Sticking to the timeline allows the recommendations put forth by the task force to be considered through the City's budget process for the upcoming fiscal year, which was a priority for the task force. Thus, there are areas throughout the recommendations that require additional development, which may be accomplished by returning items to the Task Force

and/or referring these items to the proposed Housing Safety Official. Notes from each meeting are provided as attachment A.

The State Fire Marshal's Office released their report in late January. Because the report was forwarded to the District Attorney, the full text could not be made public during the task force's time frame. The task force did review the key findings (please see meeting notes from January 26) and found that the issues were in line with those already under discussion. Portland Fire Chief Jerome LaMoria requested assistance from the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives to study the fire, and the ATF conclusions corroborate those of the State Fire Marshal's Office.

Finally, as a framework to quantify the scope of rental properties, the City estimates there are approximately 3,600 rental properties with about 17,000 units to be inspected.

Recommendations

Overall, the task force identified several key strategies the City can implement to improve the safety of rental housing stock:

- 1) Implement a risk-based prioritization process for inspections
- 2) Provide public education; conduct routine inspections of housing stock with 3 or more units by fire station personnel
- 3) Hold landlords and tenants accountable
- 4) Provide better training, including cross-training, for inspectors and other City staff working in the field who can assist in identifying potentially dangerous housing safety situations. Use existing technology more efficiently
- 5) Designate a Housing Safety Official with authority over housing safety who will ensure communication, coordination, accountability, consistency, training, and technology utilization across relevant City departments and evaluation of the effectiveness of the programs. Increase the number of cross-trained inspectors. Inspect all rental properties.

So that the many issues considered by the task force can be succinctly presented and the rationale for the recommendations chosen is clear, this document illustrates the issues, the matrix of options, relevant City code when applicable, and the related recommendation.

(1) Issue: There are approximately 3,600 rental properties in Portland with about 17,000 units. How can the City have a realistic approach that improves timely inspections of the riskiest properties first?

Option	Pros	Cons
Respond to complaints (current practice)	Requires no new resources	Does not allow for prioritized inspections nor does it ensure inspections of all properties over time
District-based inspections	Small geography; inspectors get to know their area better	Does not allow for most serious violations to be addressed quickly;

		does not allow for differing density of rental housing by district; requires additional staff
Third-party inspections	Does not require increased staffing	Difficult to assure qualified third-party inspectors – eg, there is State training but none on City code, and no licensing to report inspectors; added cost for landlords; added administrative burden for City to track; potentially does not increase accountability or transparency and decreases consistency. City staff would still have to follow up on violations.
Inspections at time of sale	Minimal added burden to the City; assures inspections happen at some point.	Unknown frequency of turnover. Does not ensure regular inspections. Requires state-level legislation.
Develop list of variables to create risk-based prioritization of rental housing properties	City can utilize existing technologies/software and data with minimal expense; ensures that the riskiest buildings are addressed first.	Initial data will direct us towards chronic past violators. This data will need to be evaluated in order to identify the riskiest buildings that have never been inspected.
Other kinds of limited inspections – e.g., common areas, exterior only; randomized annual inspections	At least a minimal inspection would be done.	Does not ensure that serious life safety threats are identified.

(1) The task force believes that **risk-based prioritization** is the best option to maximize limited resources and to address the most serious issues quickly, in addition to responding to complaints. The City can build on existing technologies and software to rank properties based on risk factors. There are numerous municipalities using this approach to ensure safe housing and allocate inspections and enforcement resources according to a risk score generated by many variables, including type of construction, age of structure, number of units, location, delinquent taxes, vacancy, foreclosure, complaints/violations, and calls for service. (Please see Attachment B for a complete list of variables included at this time.) Public Safety Solutions Inc. (PSS) conducted an extensive and thorough review of the entire Portland Fire Department in 2013 and also recommends this approach. Furthermore, this approach avoids any potential for selective enforcement. The City would, of course, still follow up on complaints regarding properties that may not have come up as priorities through the risk-based analysis.

- a. Fix It Portland – complaints via web, smart phone app
- b. Urban Insight – internal software used for inspections and code enforcement functions across the City, along with other municipal functions
- c. Cost: No additional costs; will need additional staff time to process (see Staffing section)

- d. Timeline: Up and running by Feb. 28, 2015

(2) Issue: Human behaviors have the greatest impact on fire prevention. How can the City educate tenants and landlords about fire safety practices?

(2) The task force concludes that **public education** is clearly the best means of primary prevention. The Fire Department will take the lead on this through school-based programs, targeting college students and 20-somethings, General Assistance housing recipients, immigrants/refugees, landlords, and other tenants. This was a major focus in PSS's recommendations around prevention.

- a. Chief Lamoria recently named Keith Gautreau as Assistant Chief for Fire Prevention and Community Outreach.
- b. Chief Gautreau is designing a multi-pronged education plan with assistance from the State Fire Marshal's office, Deputy Chief Jay Fleming from the Boston Fire Department, and the National Fire Protection Association. The Fire Department will go to where the targeted groups already are and will work with many relevant partners, including jointly developing materials for tenants with Pine Tree Legal. Some of the key points will include the importance of:
 - i. Proper location and maintenance of smoke alarms
 - ii. Unblocked exits
 - iii. Properly disposed smoking materials
 - iv. Trash disposal/housekeeping
- c. The Southern Maine Landlord Association proposes a new document outlining fire safety expectations and responsibilities to be signed by tenants and landlords at the same time a lease is signed.
 - a. This document will be finalized jointly by the City, the SMLA, Pine Tree Legal and the tenants' group.
 - b. The City will consider requiring this document via ordinance change and associated penalties should the document not be produced when requested during an inspection.
 - c. The City and Pine Tree Legal will collaborate on a joint landlord-tenant guidebook.
- d. Cost: Please see Staffing section for reinstated Education Officer in the Fire Department; also materials and translation.
- e. Timeline: Portland Fire has the National Fire Protection Association on standby for training while they purchase computers; looking at March/April for training and subsequent initiation of improved proactive inspection program of buildings with 3 or more rental units.

(3) Issue: Currently, when Life Safety violations are noted, Fire Inspectors send a letter to the landlord who has 32 days to respond. If there is no response, a second letter is sent and another 32 days are granted.

Option	Pros	Cons	Relevant Code Citation
Ticket and fine	Quicker and clearer enforcement process; inspector can issue ticket while out in the	Could increase staff time in court; some safety concerns among staff	Penalties and specific violations – Chapter 6, Article I, pp 6-1 and following; Chapter 10, p.

	field		10-13 and following
Penalty for disabling smoke detectors	Elevates awareness of this critical device and enforces State law	Can be hard to prove whether tenants or landlords at fault	State penalty (\$500) referenced at 25 § 2464(5), (7) and (9)(B)
Landlord and licensed lodging registration	Provides more complete information including who to contact as well as insurance company and other property-specific data	Staff time to manage, enforce; increased cost to landlords	Chapter 6, Article VI, pp 6-51 and following; includes form and violations
Re-inspection fees	Helps enforcement and helps support inspection	Staff time to manage, enforce	Chapter 6, Article 1, p 6-4, refers to Section 1-16
Dedicated legal resources	Key part of timely enforcement	Staff time, workload management	N/A
Tenant notification of building violations and public access to online database of violations	Current and prospective tenants should be aware of the violations	Addition resources required – this typically includes a return visit to the property after the notices are generated to be delivered to tenants; additional staff time to create online database	N/A
Housing court	Focused resource for housing safety issues	Costly to create; already have venue to address these issues and will continue to evaluate	N/A
Low-interest loan program for landlords to address violations	City already has limited resources for landlords who meet the qualifications. Expanding the program would allow more landlords to bring their properties up to code.	Not sure of available funding source(s) for expansion – in the past, program was largely federally funded, and those funds are no longer available.	N/A
Legal use/zoning – eg, 3 rd floor units, rooming/lodging houses	Critical risk factors.	Requires zoning changes; hard to find violators; will increase the work-load for the city's zoning administration staff	City of Portland Code of Ordinances – Chapter 14 Land Use

Two-family buildings; owner-occupied buildings	Bulk of rental housing stock; not currently inspected unless subject of complaint. Fire Department inspects 3+ unit buildings. Would need to be handled by proposed Housing Safety Office.	Different rules apply for owner-occupied regarding some rental laws but they are still subject to Chapter 6 Article V	Sec. 10-3 (m)
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(3) There are many opportunities to clarify and strengthen the **enforcement** process, some of which require minor revisions to City Code.

- a. Enforce existing requirement for landlords to register with the City annually.
 - i. Contact information, type of property, insurance company information
 - ii. Annual fee options
 - 1. \$15 per unit up to 7 units; \$100 per building for 8 or more units
 - 2. \$25 per building
 - 3. \$25 per building with 4 units or less; \$100 per building with 5 or more units
 - iii. High fines for failure to register, provision of inaccurate information
- b. Move to ticket and summons (with fine) for violations. Legal staff has discretion to dismiss matters if immediate compliance occurs. Parties can agree to terms if long-term compliance is required.
- c. Also enforce existing re-inspection fees (\$75 and \$150).
- d. Dedicate legal resources – one District Court calendar day per month is currently dedicated to the Neighborhood Prosecutor’s enforcement of municipal ordinance violations.
 - i. This monthly calendar provides the City with an opportunity to enforce building and fire code violations on a regular basis.
 - ii. The City will evaluate the adequacy to ensure this process meets the enforcement needs.
 - iii. A new City attorney (Adam Lee, Esq.) will focus on building code issues.
 - iv. The Police Department’s Neighborhood Prosecutor is available to provide additional assistance to Attorney Lee in the event of a heavy caseload.
- e. City inspectors will do everything possible to ensure that tenants are not displaced while pursuing landlord enforcement actions. The City’s Social Services Division will be alerted when displacement is unavoidable.

(4) Issue: City staff do not use the same software across departments nor is there a streamlined, standardized approach to inspections. In addition, some inspectors use tablets in the field and others enter data back at their desks. In order to ensure consistency and transparency across all relevant staff, additional internal training is required.

(4) With minimal to no new resources, the City can better utilize **technology and internal training** to standardize and streamline inspection processes. The PSS study noted the need for improved use of technology in the inspections functions. Expanded use of technology also allows for greatly increased

transparency.

- a. Fire Department will move to Urban Insight.
- b. Develop and implement standardized checklists for inspectors to use in the field (drop-down boxes in Urban Insight). The Portland Housing Authority will share the checklists they use. The City checklists should be shared with landlords and tenants through public education.
- c. Purchase tablets (already budgeted) for Fire inspectors to use in the field, greatly diminishing the amount of time required to cite an owner for violations and follow up with enforcement. Ensure consistent use among all inspectors.
- d. Provide online capability for landlord registration.
- e. Work toward having a complete and accurate census of all rental properties.
- f. Inspectors across relevant departments require additional training and cross-training to improve inspections. The National Fire Protection Association is scheduled to provide free cross-training for Fire and Housing Safety in the spring.
- g. All relevant staff require additional training to use Urban Insight and to ensure thorough documentation of all inspections.
- h. All relevant staff and other City staff who work in the field will be trained on the housing safety inspections checklist so that they can easily report any concerns for follow up.

(5) Issue: Given the number of rental units and the predominance of old, stick-built construction, the City must have a minimum number of housing inspectors to ensure efficiency and timely response to complaints and inspections of all rental units over a reasonable period of time. In addition to the approaches discussed under the first issue, the following staffing options were examined.

Option	Pros	Cons	Relevant Code Citation
District-based inspections	Small geography; inspectors get to know their area better	Does not allow for most serious violations to be addressed quickly; does not allow for differing density of rental housing by district	N/A
Third-party inspections	Does not require a significant amount of city staff	Difficult to assure qualified third-party inspectors – eg, there is State training but none on City code, and no licensing to report inspectors; added cost for landlords; added administrative burden for City to track; potentially does not increase accountability	N/A

		or transparency and decreases consistency. City staff would still have to follow up on violations.	
Fire Department inspections of buildings with three or more rental units	FD needs to be familiar with buildings for fire prevention and planning; firefighters have the time to conduct these inspections; such properties are required to have advanced life safety systems.	Firefighters need training and checklists to ensure consistency. Also need tablets to input data while in the field.	N/A
Code enforcement responds to complaints	Does not require new staff	Only one code enforcement officer who responds to complaints, and he has many other duties; Does not allow for proactive inspections	N/A
Housing Safety Office	Having one official with authority over all housing safety-related issues allows for coordination across all relevant departments and quick action to be taken. Adding a minimum of 3 cross-trained inspectors for 2,400 properties and complaints allows implementation of risk-based prioritization. Revenue generated by landlord registration fees, penalties/fines, and reinspection fees is likely to cover part of the additional costs. There will also be a steep increase in the	There are concerns that there will be an increased workload when increased numbers of violations are identified, many of which are likely to require permits and perhaps zoning changes. There may be increased work for the electrical inspector as well.	N/A

	number of complaints as the FixItPortland and searchable database are fully implemented.		
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(5) Staffing – PSS’ study used a metric to recommend 10 new FTEs in the Fire Department alone to ensure widespread inspections. The task force believes we can achieve the intended goal of improving our ability to ensure the safety of Portland’s rental housing stock using a different approach. In order to ensure implementation of these recommendations and to evaluate whether there are indeed ensuing improvements to the city’s rental housing stock, the following new positions are requested.

- a. Housing Safety Official (title TBD) who reports to the City Manager, convenes and coordinates all relevant departments to address issues with a property and decide actions to be taken.
 - i. This person would be responsible for ensuring that the highest-risk properties are inspected first, inspection documentation is consistent and complete, and timely follow-up is conducted until violations are fully addressed.
 - ii. This person will also ensure data is collected to provide a robust evaluation of the implementation of task force recommendations.
 - iii. This person will also be “where the buck stops” for all issues related to housing safety.
- b. Three additional inspectors, all cross-trained in building code and life safety code, who will report to the Housing Safety Official.
- c. One project management position, who coordinates the risk-based assessment of all rental properties, the online database, landlord registration, who also reports to the Housing Safety Official.
- d. Transfer General Assistance housing inspections from the Social Services Division to this new unit.
- e. Reinstate Education Officer at the Fire Department to implement the additional training needed.
- f. Consider outsourcing the Fire Department’s plans review work currently done by the Fire Prevention Officer.
- g. Timeline: Depends upon Committee approval and budget process. If successful, would post and hire immediately following approvals.
- h. Cost: Approximately \$375,000, with estimated offsetting revenues of \$120,000 (\$90,000 from landlord registration and \$30,000 from fees, fines, and penalties).

Concluding Statement

Tragedies such as the Noyes street fire impact everyone in the Portland community. It is our hope that as time passes we will not forget why this work was important and will keep fire safety education front and center. We believe that these recommendations will improve consistency, transparency and accountability among all relevant parties – tenants, landlords, and the City. Thanks to everyone who dedicated their time and energy to this effort. We look forward to the Committee’s feedback and additional input from the public.

Fire/Code Task Force - Proposed Housing Safety Roles and Responsibilities Across Relevant Departments

Presentation to PSHHS Committee 3/10/15

Housing Safety Office	Inspections Division, Planning Dept	Fire Dept
Risk-based prioritization of rental housing inspections	New and rehab construction inspections	Proactive inspections of residential buildings with 3+ units
Respond to rental housing complaints	Respond to new/rehab construction-related complaints	Respond to specific life safety complaints across all rental housing; serve as back-up to housing safety inspectors for 1-2 unit buildings and primary for 3+ unit buildings
No plans review	Plans review for new/rehab construction	Conduct or subcontract life safety portion of plans review
One on one education as needed	One on one education as needed	Implement annual public education plan
Ensure inspections staff is cross-trained in building and life safety codes as well as all relevant internal soft/hardware for inspections	Ensure inspectors maintain relevant certifications and are trained internal soft/hardware	Ensure regular, comprehensive training for FD staff on inspections, checklist, and related soft/hardware
Develop materials and processes for annual landlord registration, including enforcement		
Conduct quarterly evaluation of HSO		
Regularly and frequently communicate with other relevant departments to ensure optimal service delivery		
Issue tickets and summonses when violations occur	Issue tickets and summonses when violations occur	Issue tickets and summonses when violations occur
Enforce existing re-inspection fees	Enforce existing re-inspection fees	Enforce existing re-inspection fees
Oversee public data on rental housing violations		

Attachment C

City of Portland - Building and Fire Statutes, Ordinances, and Guidelines

FREE ACCESS to all NFPA Codes is available upon registration at:

<http://www.nfpa.org/codes-and-standards/document-information-pages?mode=code&code=101&tab=editions>

Portland City Code of Ordinances – Chapter 10 – FIRE PREVENTION AND PROTECTION

<http://www.portlandmaine.gov/DocumentCenter/Home/View/1074>

Section 10-1 – Adopts the NFPA 101: Life Safety Code (2009 edition)

Section 10-3 – Specific Amendments to the NFPA Life Safety Code – Note that certain amendments are more stringent and others are *less* stringent than the provisions of the original NFPA Code.

Section 10-3 (m) – “The provisions of the Life Safety Code shall not apply to one and two-family occupancies existing prior to the adoption of this ordinance, unless such structures are being used for a purpose which requires a state or municipal license, including, but not limited to, daycare facilities, or are rented in their entirety and are the subject of a complaint to the City’s Office of Building Inspections and Code Enforcement.”

Section 10-16 – Adopts the NFPA 1: Fire Code (2009 edition)

Section 10-25 – Violations of Chapter 10 enforced by Uniform Summons and Complaint process or by ME Rules of Civil Procedure (Rule 80K)

Section 10-25.1 – Authority to Condemn property for violations (prohibit occupancy)

Section 10-25.2 – Notice requirements (reasonable time to vacate if occupied)

Section 10-25.8 – (a) Authority for official to correct violations and send bill to owner (tax assessment) – (b) Even if occupancy is permitted, authority to post notice of violations on property, mail letters to occupants, publish notice in newspapers, and maintain an active list of properties with violations – notices/letters must inform that owner has been noticed of violations and has failed to take action (charges can be assessed against property for notices, letters, newspaper advertising) (c) Authority to post signs re: advising danger level of structure for response teams

Section 10-25.10 – More restrictive code applies (conflicts between Ordinance & NFPA Codes)

Portland City Code of Ordinances – Chapter 6 – BUILDINGS AND BUILDING REGULATIONS

<http://www.portlandmaine.gov/DocumentCenter/Home/View/1070>

Section 6-1 - Authority to issue penalties for violations

Section 6-16 – Adoption of the Maine Uniform Building and Energy Code

Statute: <http://www.mainelegislature.org/legis/statutes/10/title10ch1103sec0.html>

Code:

http://energycodesocean.org/sites/default/files/Uniform_Building_and_Energy_Code.pdf

Section 6-17 – Fee Schedule for Permits

Section 6-18 – Approval of Fire Chief is required for all applications other than single or two-family Dwellings

Section 6-19 – No issuance of C/O if a violation is present

Section 6-20 – Denial of permit may be appealed to the board of appeals w/in 10 days

Section 6-21 – Violations subject to penalties under 6-1 – Each day of violation constitutes a separate Offense

Section 6-32 – Adoption of the National Electric Code (NEC) 1999 edition – if there is a conflict, the ordinance/statute prevails over the NEC

<https://law.resource.org/pub/us/code/ibr/nfpa.nec.1999.pdf>

Section 6-44 – Penalties may be issued for Violations pursuant to section 6-1

Section 6-86 – Adoption of the BOCA National Mechanical Code (NMC) 1993 edition
<https://law.resource.org/pub/us/cfr/ibr/003/boca.mechanical.1993.pdf>
Section 6-107 – Minimum Standards for dwellings
Section 6-108 - Minimum standards for structural elements
Section 6-109 – Sanitation and general maintenance
Section 6-116 – Minimum Standards for Safety
Section 6-117 – Inspections – Right to Enter
Section 6-118 – Issuance of Notices of Violation to owner/operator, occupant or both
Section 6-120 – Unfit for habitation
Section 6-127 – Appeals Pursuant to ME R. Civ. Procedure 80B
Section 6-128 – Building officials exempt from liability

MAINE STATUTES

Title 25 § 2351-2361 – Municipal Inspection of Buildings
<http://www.mainelegislature.org/legis/statutes/25/title25ch313sec0.html>
Title 25 § 2371-2374 – Building Codes and Standards
<http://www.mainelegislature.org/legis/statutes/25/title25ch314sec0.html>
Title 25 § 2431-2468 – Preventative Measures and Restrictions
<http://www.mainelegislature.org/legis/statutes/25/title25ch317sec0.html>
Title 30-A § 3001-3014 – Ordinance Authority
<http://www.mainelegislature.org/legis/statutes/30-A/title30-Ach141sec0.html>
Title 30-A § 3151-3157 – Municipal Fire Protection
<http://www.mainelegislature.org/legis/statutes/30-A/title30-Ach153sec0.html>
Title 30-A § 4451 - Building Code Enforcement Officers – Training and Certification/Duties
<http://www.mainelegislature.org/legis/statutes/30-A/title30-Asec4451.html>
Title 30-A § 4452 – Enforcement of Land Use Laws and Ordinances
<http://www.mainelegislature.org/legis/statutes/30-A/title30-Asec4452.html>



Portland Fire Department

Office of the Fire Chief



Date: April 27, 2015

To: Members of the Portland City Council Finance Committee

From: Jerome LaMoria, Fire Chief, City of Portland

Subject: Requested information on response protocols

Emergency Medical Dispatch (EMD) is a protocol-based medical call management system which use is mandated for all Public Safety Answering Points 9-1-1 Call Centers (PSAP) in the State of Maine. The EMD system helps ensure that all calls for emergency medical services (EMS) are handled in a professional, consistent manner and that vital information is collected during each call.

EMD uses information gathered by a series of specific scripted questions to categorize and subcategorize the call into one of six priority levels. EMD also provides pre arrival instructions to 911 callers to initiate life saving measures.

In 2013 the City of Portland was the first jurisdiction in Maine to utilize EMD for resources management and amend response levels based on EMD coding. A basic description of the priority levels along with a pertinent example and general response level of the City Of Portland Fire Department is listed in the table below.

Omega	The least critical of all calls	Not currently used in Portland	Generally require Basic Life Support and 2 responders	Typical response is closest ambulance only. Suppression apparatus respond only if closest ambulance is not available or other needs exist.
Alpha	May require medical attention but is not very serious	Superficial injury		
Bravo	Slightly more serious but not potentially life threatening	Traumatic injury with bleeding controlled		
Charlie	Serious condition that will benefit from rapid intervention	Stroke or uncontrolled bleeding	Requires Advanced Life Support Response and 4-5 responders.	Response includes closest fire department apparatus and closest available ambulance.
Delta	Very serious where rapid intervention is necessary	Chest pains or difficult breathing		
Echo	The most severe condition, Immediate intervention required	Cardiac Arrest		

The Portland Fire Department is continual evaluating response data to make improvements in service delivery. We are currently working on developing a plan to allow for some “cold response” to Alpha level calls where units will no longer respond with lights and siren.

It is important to note the EMD is only used for calls involving medical events and not for fire or other emergencies related to hazardous materials, aircraft emergencies, water rescues, alarm activations, and the multitude of other request for service the fire department receives. Emergency Fire Dispatch protocol

(EFD) systems do exist but they have not been purchased or in use in any dispatch center in the State of Maine.

Calls for services other than medical are handled with a very basic framework of obtaining the location of the emergency, the basic nature of the emergency, and a call back telephone number if available. From that information a call is entered with a brief description of the emergency which is used to select a response. The table below illustrates the most common types of calls for service and the standard Portland Fire Department response level.

Reported Incident	Initial Apparatus Response	Intended Purpose
Audible Alarm (with someone on scene)	1 Engine	Minimum of 4 personnel needed for safe operation
	1 Ladder	
Outside Fires	1 Engine	Minimum of 4 personnel needed for safe operation
	1 Ladder	
Outside Gas Leak	1 Engine	Minimum of 4 personnel needed for safe operation
	1 Ladder	
Activated Alarm System (Fire)	2 Engines	1 Engine to investigate cause of the alarm; 1 Engine for water supply.
	1 Ladder	Provides tools, equipment, and staffing to remove occupants, investigate source of alarm.
	1 Commander	Commands incidents with multiple (more than 3) units operating.
Motor Vehicle Accident with reported injuries	1 Engine	Provides fire protection, stabilize scene, assist with injured people.
	1 Ambulance	Treat and transport injured
	1 Heavy Rescue	Remove victims, provides for scene safety and handle hazardous fluids.
	1 Commander	Commands incidents with multiple (more than 3) units operating.
Reported Fire inside of a building. Gas leak inside of a building. Hazardous Materials Incident:	3 Engines (Pumpers)	3 Engines provides for one hoseline to attack fire, one hoseline to control extension of fire, and one engine to pump water from the hydrant.
	3 Ladders	Ladders provide tools, equipment, and staffing to rescue occupants, remove smoke, provide egress from upper floors, control building utilities, and open spaces to check for fire extension. One ladder to the front, one ladder to the rear, and one provides a rescue team for firefighters.
	1 Heavy Rescue	Provides staffing to search the building for occupants and support operations.
	1 Ambulance	Treats injured occupants and safety team for firefighters
	1 Commander	Commands incidents with multiple (more than 3) units operating.

Please feel free to contact me if you have further questions.